

THE HON. RONALD B. LEIGHTON

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRIANA WATERS,

Defendant.

CAUSE NO. CR 05-5828 RBL

ADDITIONAL SUPPORT LETTER FOR
BRIANA WATERS

COMES NOW the Defendant, Briana Waters, by and through her attorney, Neil M. Fox, and provides this additional redacted support letter.

DATED this 21st day of June 2012.

Respectfully submitted,

/s/ Neil M. Fox

NEIL M. FOX

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CERTIFICATE OF SERVICE

I hereby certify that on the 21st day of June 2012, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to attorney of record for the Plaintiff and all other parties.

/s/ Neil M. Fox

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To the Honorable Judge Ronald B. Leighton,
United States District Court, Tacoma, Washington

Your Honor,

I am writing to literally beg for leniency to guide your conscience as you determine a sentence for Briana Waters.

I can only write of my direct experience as K██████'s father, and a part of what she has gone through over the last 6 years. While she will undoubtedly be able to write eloquently of her life at some point, she is only 7 years old now and cannot express or adequately process what she has been through. As her father, I need to speak for her, for the record.

When Briana was initially found guilty in Tacoma, she was taken directly into custody from the courtroom, and we had no time to prepare K██████ for that outcome. I came home from court that day alone. My attempts to explain what was going on to my daughter were challenged; I never wanted her to grow up angry at the Government, and struggled to explain her mother's incarceration in a way that her 3 year old mind could understand, without creating a villain.

That first night without Briana was the hardest night of my life up until that point. I cannot recall how many times K██████ woke up and cried for her mother. It was several days later that she was first able to visit her. Thankfully Briana's mother was able to take her into the visiting room; I was not prepared to forcibly separate my crying daughter from her mother's arms. However, over the course of the next 2 1/2 years of bringing K██████ to the visiting rooms of different prisons, I developed an ability to do just that, out of necessity.

That was the start of several years of nightmares and sleepless nights. It took K██████ almost 3 years from that time to be sleep through the night. She began to superficially cope with the circumstances, but it was clear to me that she fundamentally could not process the changes. She developed an acute habit of chewing her fingers after visits ended, which concerned me. Additionally, she expressed extreme stress over the actual parameters of communication with Briana. She was unable to choose when she could talk to her mother, and frequently would refuse to take her calls, citing any number of reasons, clearly upset that she could not choose when and how she could communicate. I could see this powerlessness, but could not remedy it, as I was experiencing the same constraint.

I was always with her, and she did find ways to express her feelings: images of guards and prison dynamics began to show up in her artwork and play. And I allowed her to express all her feelings to me, without judgement. But there was always an absence that did not change until Briana was released.

Since Briana's release, I have closely observed K██████'s actions and seen clearly that she has made significant progress in dealing with her emotional trauma. She has developed a new stability and is in a more balanced state. She has a stable and supportive school and family community, and has made great strides towards healing the emotional scars which she lives with. All I am asking for is what any good father would want, that my daughter has a chance to be healthy and happy in her childhood.

I have also observed Briana significantly since her release. What I have seen is gratitude, humility and penitence. I cannot speak for her, but my observation is that she is tremendously regretful of her past actions that brought this pain upon our daughter. While the past cannot be changed, I see in her a sincere drive to make amends and heal and contribute positively to society. I cannot fathom the amount of regret that she carries with her now, and always will.

Your Honor, I ask that you exercise compassion as you determine a sentence for Briana Waters. Thank you for your consideration of these circumstances.

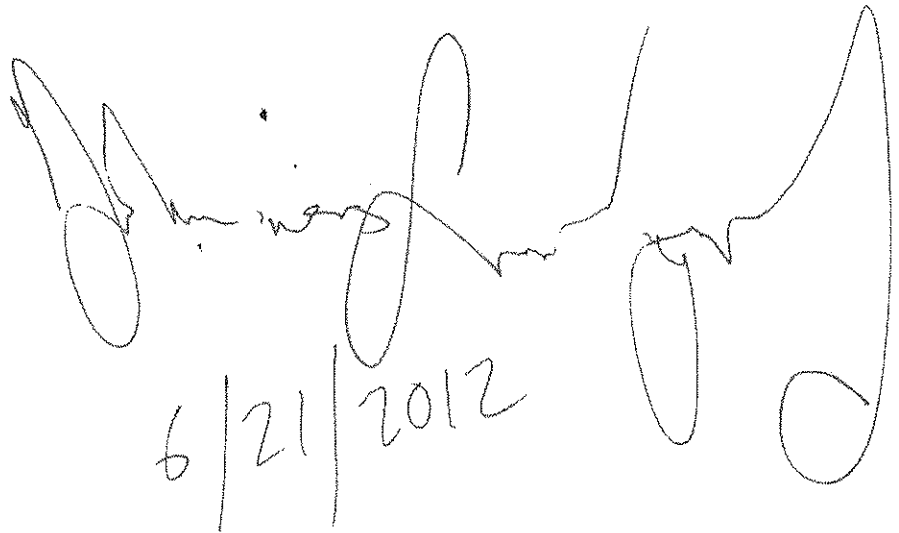
Sincerely,

John Ives Landgraf

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Fair Oaks, CA

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6/21/2012